REMARKS

Claims 2, 3 and 5 have been allowed. A Notice Regarding Drawings and Form PTO-948 were mailed on March 24, 2004 and requested submission of corrected formal drawings.

During preparation of the new formal drawings, an error was noted in the original Figure 6 where the sequence of the rpoB gene fragment from *Mycobacterium kansasii* (SEQ ID NO:8) contains a blank "-" at position 194. The correct sequence contains a cytosine "c" in the corresponding position 167 of SEQ ID NO:8. The correction is shown in red on the attached. The Examiner's approval of this correction is requested. Since the issue fee was paid on December 15, 2003, waiver of the requirements of 37 C.F.R. 1.312 and entry of this Amendment are requested in accordance with 1280 OG 918.
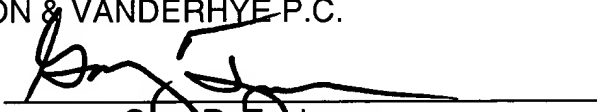
Formal drawings containing this correction and in compliance with the Official Draftsperson's comments in Form PTO-948 are attached.

Applicants submit that the claims remain allowable for the reasons of record. Early issuance of this patent is earnestly solicited. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____
Gary R. Tanigawa
Reg. No. 43,180

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

845183

```
        160       170       180       190       200       210       220       230   235
        --+---------+---------+---------+---------+---------+---------+---------+-----+---+-----|
C-----------GAGGGTCAGCAC---ACGATG-ACGTTCCGGGCGGGGACCGAGGTTCCGGTGGAGACCGACGACGACAT   (SEQ ID NO: 4)
C-----------GAGGGCCAGCAC---ACGATGACCGTCCCGGGCGGCGGCGCCGAGGTGCCGGTTGAGACCGACGACGACAT  (SEQ ID NO: 1)
C-----------GAGGGTCAGCAC---ACGATGACCGTTCCGGGCGGCGGCACCGAGGTTCCGGTGGAGACCGACGACGACAT  (SEQ ID NO: 3)
C-----------GAGGGTCAGTCG---GCGATGACGGTTCCCGGGCGCCGGAGGTGCCGGTGGAGACCGACGACGACAT      (SEQ ID NO: 2)
C-----?-----GAGGGTCAGCCC---ACGATGACCGTCCCGGCGGCATCGAGGTGCCGGTGGAGACCGACGACGACAT      (SEQ ID NO: 15)
C-----------GAGGGCCAGACC---GCGATGACCGCTCCGGGCGGCGTGTCGAGGTGCCGGTCGAGACCGACGACGACAT   (SEQ ID NO: 10)
C-----------GAGGGCCAGACC---GCGATGACCGCTCCGGGCGGCGTGTCGAGGTGCCGGTCGAGACCGACGACGACAT   (SEQ ID NO: 11)
C-----------GAGGGCCAGACC---ACGATGACCGTCCCGGCGGCGTCCGAGGTCCCGGTCGAGGTGGACGACGACAT     (SEQ ID NO: 19)
C-----------GAGGGCCAGACC---ACGATGACCGTTCCCGGCGGCGTCCGAGGTGCCGGTCGAGACCGACGACGACAT    (SEQ ID NO: 12)
C-----------GAGGGCCAGCCC---ACGATGACCGTCCC---CGGCATCGAGGTGCCGGTGGAGACCGACGACGACAT     (SEQ ID NO: 20)
C-----------GAGGGTCAGACC---ACGATGACCGTTCCGGCGGCGTCGAGGTGCCGGTGGAAACCGACGACGACAT      (SEQ ID NO: 5)
C-----------GAGGGTCAGACC---ACGATGACCGTTCCGGGCGGCGCCGAGGTGCCGGTCGAGGTGGAAACCGACGACGACAT (SEQ ID NO: 16)
C-----------GAGGGTCAGACC---ACGATGATCGTTCCGGGCGGCGCCGAGGTGCCGGTGGAAACCGACGACGACAT     (SEQ ID NO: 22)
C-----------GAGGGCCAGGCC---ACGATGAC-GTGCGGGGGCGGGTCGAGGTGCCGGTGGAAACCGACGACGACAT     (SEQ ID NO: 8)
C-----------GAGGGCCACACC---ACGATGACCGTCCCGGGCGGAGTCGAGGTGCCGGTGGAAACCGACGACGACAT     (SEQ ID NO: 17)
T-----------GAGGGTCAGTCG---ACGATGACCGTTCCAGGTGCCGTCGAGGTCCAGTGGATACTGACGACGACAT      (SEQ ID NO: 23)
C-----------GAGGGCCAGGCA---ACGATGACGGTTCCCGGCGGCGTCGAGGTGCCGGTGGAGACCGACGACGACAT     (SEQ ID NO: 14)
C-----------GAGGGGCACGCC---ACGATGAAGGTCCCCGGCGGCGTGCCTGGAGGTGCCGGTGGAGACCGACGACGACAT (SEQ ID NO: 24)
C-----------GAGGGCCAGACC---ACGATGACCGCCCCGGGCGGCGTCGAGGTCCCGGTGGAGACCGACGACGACAT     (SEQ ID NO: 7)
C-----------GAGGGCCAGACC---ACGATGACCGCGCCCGGCGGCGTCCGAGGTGCCGGTGGATGTGGACGACGACAT    (SEQ ID NO: 21)
T-----------CAGGGCGACAAG---ACGATGACCGTCCCGGGGTGGAGTCGAGGTGCCGGTCGAGACCGACGACGACAT    (SEQ ID NO: 18)
CCACGCCCGTACGGATGGCCAGCCCGCCGTCATGACTGACGTCGAGGTGCCGGTGGAGAAACCGACGACGACAT          (SEQ ID NO: 9)
CCACGCCCTCTCAGGTGGCCAGCCCCCCCGTTATTGACTGTCCCCGGGTCCCGGTCGAGGTGCCGGTGGAAACCGACGACGACAT (SEQ ID NO: 13)

c           GAgGGCCAg  cc      aCgATGAccgtcCCCgGCGgcgtCGAGGTgCCgGTgGAgaccgacGACGACAT
```
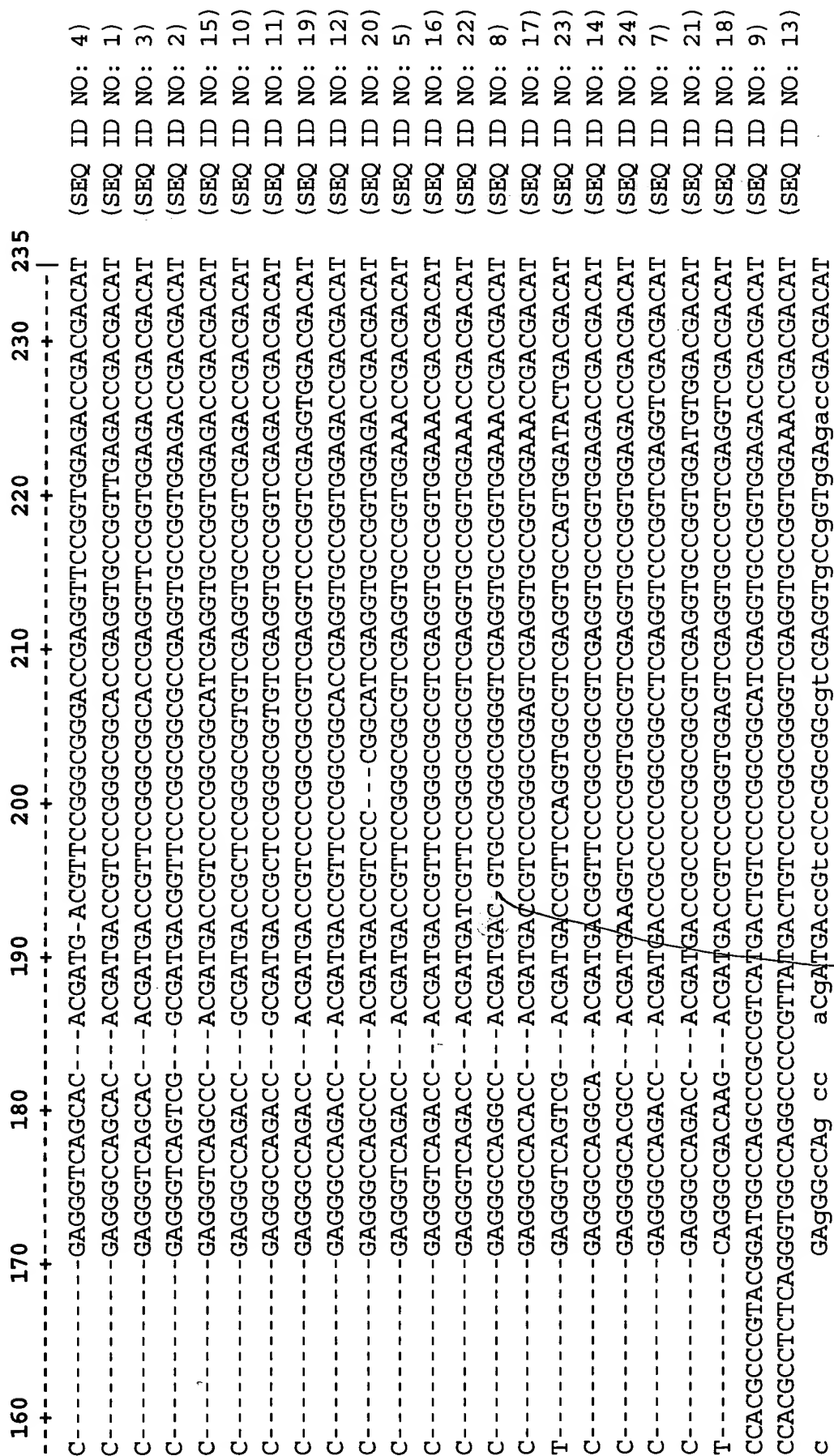
Figure 6c